

Congress of the United States

Washington, DC 20510

January 21, 2015

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20536

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Dear Chairman Wheeler:

We write regarding recent FairPoint Communications service outages that have impacted the Vermont E911 system and public safety agencies in both Vermont and New Hampshire.

As you may be aware, the majority of FairPoint's workforce in Vermont and New Hampshire has been on strike since October 17, 2014. Since this labor impasse began, FairPoint's networks and equipment have failed with increasing frequency and complaints from the company's customers have soared. We are particularly alarmed that problems with FairPoint's network have caused service outages for police departments, fire departments, and other critical public safety agencies across both New Hampshire and Vermont.

For example, a November 28 hardware failure – that was unrelated to weather events – caused an almost six-hour outage of Vermont's E-911 system. FairPoint's failure to report, respond and repair the equipment failure in a timely manner resulted in more than 80 missed calls from Vermonters to emergency dispatchers at the State Police, Montpelier City Police, and Vermont Gas, potentially endangering lives and property across the state. As a result of this outage, the Vermont Department of Public Service has initiated a service quality investigation. In New Hampshire, a December 3 service failure resulted in a four-hour outage in 911 service in Portsmouth.

Any 911 call that is not connected to emergency responders is a matter of significant concern and potentially serious consequence, which is why we very much appreciate the FCC's recent focus on addressing vulnerabilities in critical emergency communications networks to reduce 911 outages. Consistent with that effort, and given FairPoint's critical role supporting emergency communications throughout Vermont and New Hampshire, we respectfully request that the FCC evaluate whether FairPoint remains capable of providing emergency communications services that our citizens and first responders can depend on in times of crisis. We hope that the FCC will act swiftly in this regard, particularly considering the frequent inclement weather in Northern New England during winter and the potential for both further damage to FairPoint's network and weather-related public safety emergencies.

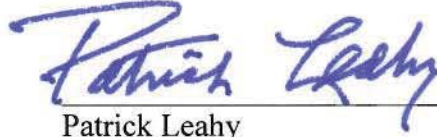
We urge you to immediately request that FairPoint provide the Federal Communications Commission with a full assessment of the causes of the recent system outages in Vermont and

New Hampshire and to identify remedies to prevent similar problems in the future. Thank you for your attention to this matter.

Sincerely,



Jeanne Shaheen
United States Senator



Patrick Leahy
United States Senator



Bernard Sanders
United States Senator



Peter Welch
Member of Congress



Ann McLane Kuster
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

March 17, 2015

The Honorable Jeanne Shaheen
United States Senate
520 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Shaheen:

Thank you for your letter expressing concern about the recent service outages that have impacted the Vermont E911 system and public safety agencies in both Vermont and New Hampshire. My staff and I have been closely monitoring the situation, and we will not hesitate to act to ensure that emergency communications networks in Vermont and New Hampshire maintain the level of reliability and resiliency that citizens expect and deserve.

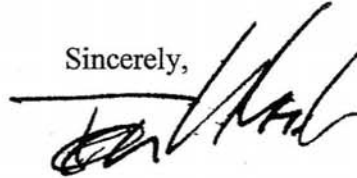
I share your desire to ensure that American's phone calls to E911 are delivered during emergencies. It is one of the Commission's primary responsibilities, and improving the reliability and resiliency of our 911 infrastructure has been one of my top priorities since I joined the Commission. As you note, the Commission recently has been focused on improving E911 communications networks nationwide by requiring E911 service providers to take reasonable measures to provide reliable and resilient E911 service. One of the first rules we adopted when I joined the Commission requires service providers to certify annually that they have implemented industry-backed best practices or reasonable alternative measures that are sufficient in light of their particular circumstances. These best practices cover three core areas: auditing 911 circuits for physical diversity, maintaining central office backup power, and maintaining reliable and resilient network monitoring systems. In addition, the Commission amended its rules to give E911 service providers deadlines and other more specific requirements for notifying E911 call centers of outages. The Commission also has required providers of voice communications to report major disruptions to communications by submitting information in the Commission's Network Outage Reporting System (NORS).

If we see evidence that these best practices are not being followed in a particular circumstance, the FCC's Public Safety and Homeland Security Bureau (PSHSB) may follow up with service providers to address deficiencies revealed by the certification process. For example, PSHSB analyzes outage information submitted via NORTS and works closely with individual providers regarding specific outages. The Bureau also works with the industry in general on outage trends and possible industry-wide problems in order to improve the reliability of E911 and NG911. Consistent with our rules and past practice, PSHSB has held several discussions with Fairpoint about the large November 28th outage, including Fairpoint's efforts to restore service, and we will continue to monitor the situation.

Page 2—The Honorable Jeanne Shaheen

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

March 17, 2015

The Honorable Patrick J. Leahy
United States Senate
433 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Leahy:

Thank you for your letter expressing concern about the recent service outages that have impacted the Vermont E911 system and public safety agencies in both Vermont and New Hampshire. My staff and I have been closely monitoring the situation, and we will not hesitate to act to ensure that emergency communications networks in Vermont and New Hampshire maintain the level of reliability and resiliency that citizens expect and deserve.

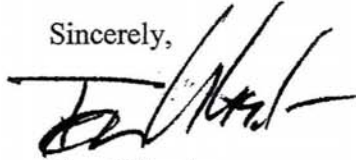
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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

March 17, 2015

The Honorable Bernard Sanders
United States Senate
332 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Sanders:

Thank you for your letter expressing concern about the recent service outages that have impacted the Vermont E911 system and public safety agencies in both Vermont and New Hampshire. My staff and I have been closely monitoring the situation, and we will not hesitate to act to ensure that emergency communications networks in Vermont and New Hampshire maintain the level of reliability and resiliency that citizens expect and deserve.

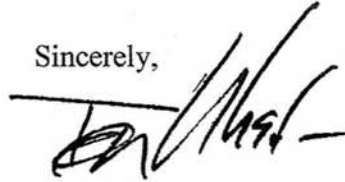
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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

March 17, 2015

The Honorable Ann McLane Kuster
U.S. House of Representatives
137 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Kuster:

Thank you for your letter expressing concern about the recent service outages that have impacted the Vermont E911 system and public safety agencies in both Vermont and New Hampshire. My staff and I have been closely monitoring the situation, and we will not hesitate to act to ensure that emergency communications networks in Vermont and New Hampshire maintain the level of reliability and resiliency that citizens expect and deserve.

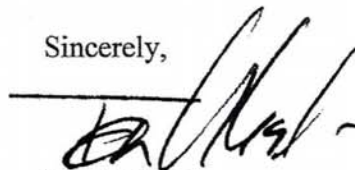
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FEDERAL COMMUNICATIONS COMMISSION
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OFFICE OF
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March 17, 2015

The Honorable Peter Welch
U.S. House of Representatives
2303 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Welch:

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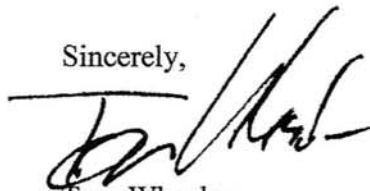
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Tom Wheeler